



Docket No.: 9988.099.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Pre Patent Application of:

CHO, Han Ki

Customer No.: 30827

Application No.: 10/765,107

Confirmation No.: 9733

Filed: January 28, 2004

Art Unit: 3637

For: WASHING MACHINE PEDESTAL

Examiner: James Orville Hansen

Mail Stop Appeal Brief - Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

APPELLANT'S BRIEF

Sir:

In response to a Final Rejection of claims 1-5 and 9-12 mailed on May 24, 2006, an Advisory Action mailed November 3, 2006, a Notice of Panel Decision from Pre-Appeal Brief Review mailed December 19, 2006, and in support of a Notice of Appeal filed on November 22, 2006, the Appellant hereby submits this Appeal Brief.

The fees required under § 1.17(f) and any required petition for extension of time for filing this brief and fees therefore are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

This brief contains items under the following headings as required by 37 C.F.R. § 41.37(c):

- I. Real Party In Interest**
- II. Related Appeals and Interferences**
- III. Status of Claims**
- IV. Status of Amendments**
- V. Summary of Claimed Subject Matter**
- VI. Grounds of Rejection to be Reviewed on Appeal**
- VII. Argument**
- Claims Appendix**

Evidence Appendix
Related Proceedings Appendix
Appendix 1

I. REAL PARTY INTEREST

The real party in interest for this appeal is: LG Electronics, Inc.

II. RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences that will directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

III. STATUS OF CLAIMS

Total Number of Claims in the Application

There are 48 claims pending in this application.

Current Status of Claims

Claims canceled: None

Claims withdrawn from consideration but not canceled: 6-8 and 13-48

Claims pending: 1-48

Claims allowed: None

Claims rejected: 1-5 and 9-12

Claims on Appeal: 1-5 and 9-12

IV. STATUS OF AMENDMENTS

No amendments to the claims were made after final rejection.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The present invention is related to a pedestal for a washing machine or a laundry dryer. The invention may be generally explained with reference to FIG. 2A of present application (U.S. Patent Application No. 10/765,107 (the '*107 Application*')). FIG. 2A, reproduced below, illustrates a coupling of a washing machine with a pedestal in accordance with a first embodiment of the invention. According to claim 1, the only independent claim on appeal, the pedestal 200 comprises a pedestal body 210 supporting a bottom portion of the washing machine or laundry dryer 100 and at least one coupling means 230 provided both to a lateral side of the washing machine or the laundry dryer and to a lateral side of the pedestal body. '*107 Application* at ¶¶ 0042, 0043.

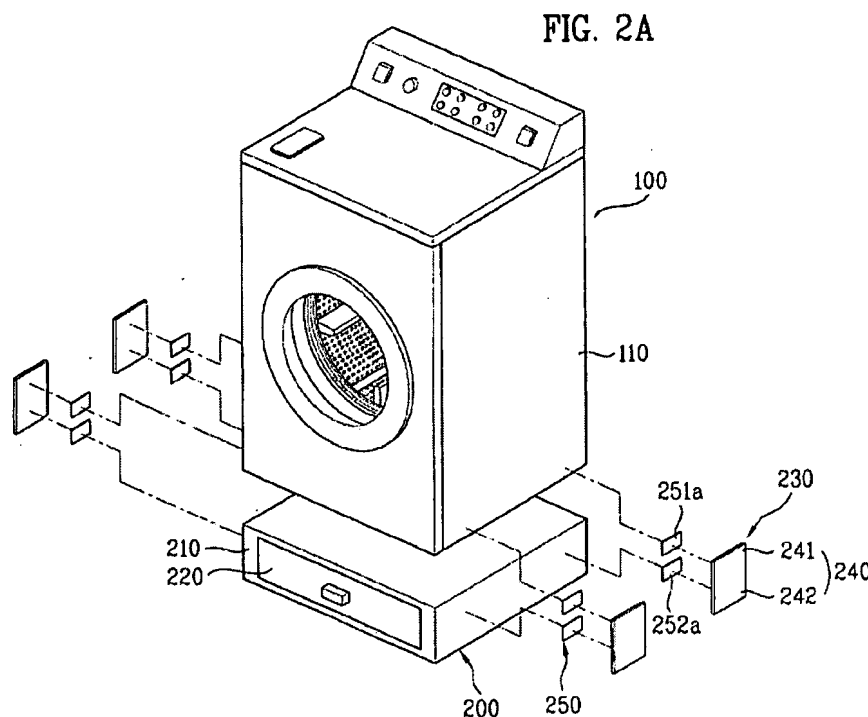
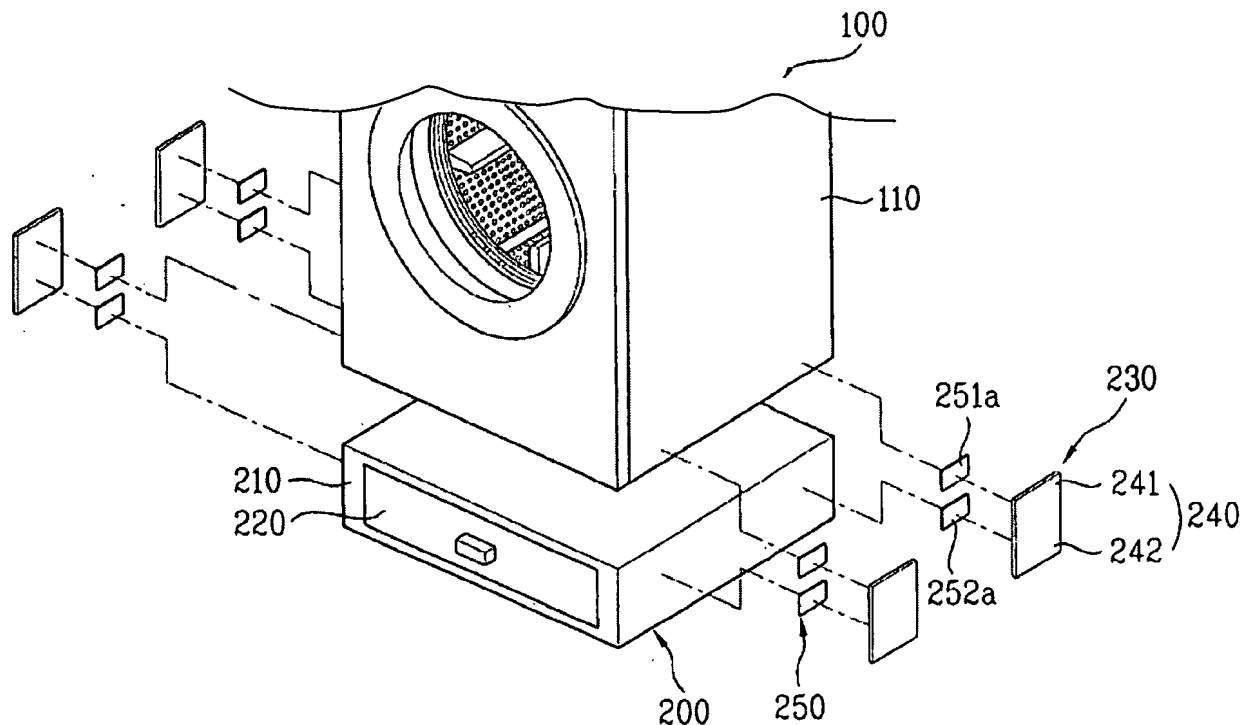


FIG. 2A of the '*107 Application*

As indicated in the claim, and as supported in the specification, one function of the coupling means 230 is to couple the washing machine or the laundry dryer 100 with the pedestal body 210. *Id.* at ¶ 0042. The specification and drawings describe and illustrate various embodiments of coupling means.

Claim 2 describes the coupling means of claim 1 as including a coupling member 240 and a fastening member 250. *Id.* at ¶ 0043. An expanded portion of FIG. 2A is reproduced below. In the embodiment illustrated in FIG. 2A, “the coupling member 240 may couple sides of the hexahedral pedestal [200] and the hexahedral washing machine [100] at opposite two sides where the hexahedral pedestal and the hexahedral washing machine are in contact.” *Id.* at ¶ 0044.

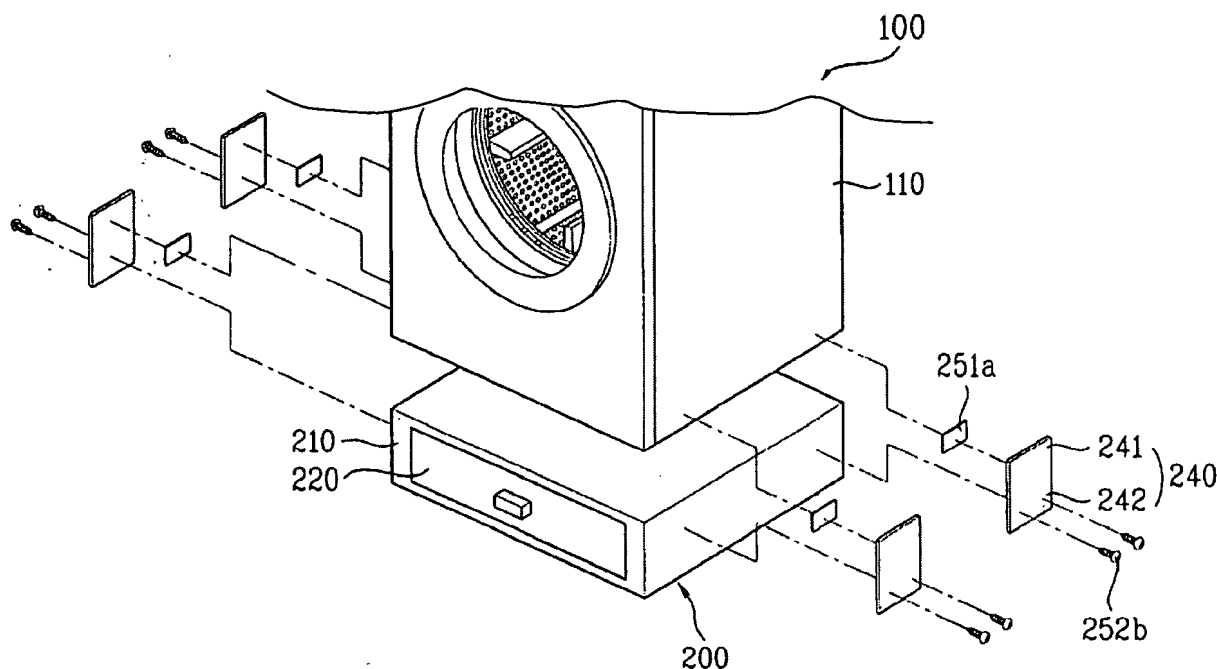


Portion of FIG. 2A of the '107 Application

According to claim 3, the fastening member of claim 2 includes a first fastening member (251a) for fastening an upper part (241) of the coupling member (240) to the lateral side of a lower part of the washing machine (100) or the laundry dryer, and a second fastening member (252a) for fastening a lower part (242) of the coupling member (240) to the lateral side of an upper part of the pedestal (200). *Id.* at ¶ 0045.

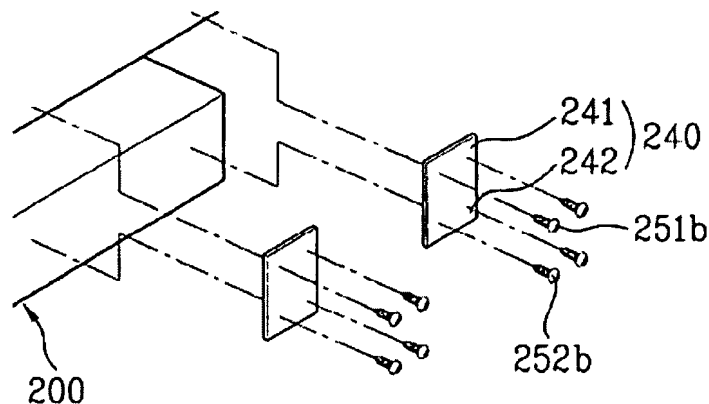
The specification provides additional examples of fastening members. As illustrated in FIG. 4A, a portion of which is shown below, “at least one of the first fastening member or the second fastening member may be fastening means, such as a screw 252b, or 252b [sic].” *Id.* at ¶ 0045; see

id. at ¶ 0052. In the exemplary embodiment of FIG. 4A, “the first fastening member 251 is the double sided tape 251a, and the second fastening member 252 is a screw 252b.” *Id.* at ¶ 52; *see id.* at ¶ 0046. “Though not shown, the coupling member may be adhered with a bond.” *Id.* at ¶ 0055.



Portion of FIG. 4A of the '107 Application

FIG. 5 illustrates an exemplary embodiment where “both the first fastening member and the second fastening member are screws 251a and 251b.” A portion of FIG 5 is reproduced below.



Portion of FIG. 5 of the '107 Application

In at least one embodiment, the specification describes coupling means 230 (FIG. 2A) as being “fabricated to enable to adjust [sic] a height of the washing machine or the laundry dryer.” *Id.* at ¶ 0047. An exemplary embodiment is illustrated in FIG. 3A, reproduced below.

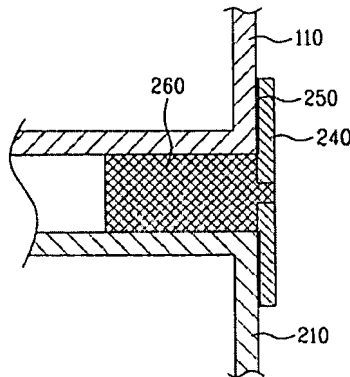


FIG. 3A of the '107 Application

As described in the specification, “coupling means 230 [FIG. 2A] includes a coupling member 240 in contact with sides both of the washing machine 100 [FIG. 2A] or the laundry dryer, fastening members [250] for fastening the coupling member [240] to the sides both of the washing machine 100 [FIG. 2A] or the laundry dryer, and the pedestal body 210, and gap adjusting members 260 for maintaining a space between a bottom of the washing machine 100 [FIG. 2A] or the laundry dryer, and a top of the pedestal body 210 at a preset gap.” *Id.* at ¶ 0049.

Claim 4 narrows claim 3 by requiring that at least one of the first and second fastening members have an adhesive material coated on both sides of the fastening member. *Id.* at ¶ 0046. Claim 5 further limits claim 4 by requiring the adhesive material to be double sided tape. *Id.* at ¶¶ 0046, 0052.

Claims 9 and 10 recite additional limitations on the pedestal body of claim 1. Claim 9 further limits claim 1 by requiring the pedestal body to “include a receiving part for putting things therein.” Claim 10 further limits the receiving part of claim 9 to be “a drawer for opening a front part of the pedestal body.”

Claims 11 and 12 provide further limitations on the coupling means of claim 1. Claim 11 further limits claim 1 by requiring that the coupling means be “designed to adjust a height of the washing machine or the laundry dryer.” *See also id.* at ¶¶ 0047-49. Claim 12 further limits the coupling means of claim 11 to include a coupling member, “detachable gap adjusting members having different thicknesses to be fitted to the coupling member for maintaining a preset gap between a bottom of the washing machine or the laundry dryer, and a top of the pedestal body,” and fastening members. *See also id.* at ¶¶ 0049-0051.

VI. GROUND'S OF REJECTION TO BE REVIEWED ON APPEAL

The Examiner rejected claims 1-5, 9, 11, and 12 under 35 U.S.C. § 103(a) as being unpatentable over German publication DE 198 38 631 (hereinafter *DE '631*) in view of U.S. Patent No. 6,578,902 to Sill (hereinafter *Sill*). *Office Action mailed May 24, 2006* at § 3.

The Examiner rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over *DE '631* and *Sill*, and further in view of U.S. Patent No. 1,756,984 to Mason (hereinafter *Mason*). *Office Action mailed May 24, 2006* at § 4.

The Examiner rejected claims 1-5, 9, and 10 under 35 U.S.C. § 103(a) as being unpatentable over “Applicant's Prior Art Admission – figures 1A-1B and correlating information disclosed in the specification” (hereinafter APAA) in view of *Sill*. *Office Action mailed May 24, 2006* at § 5.

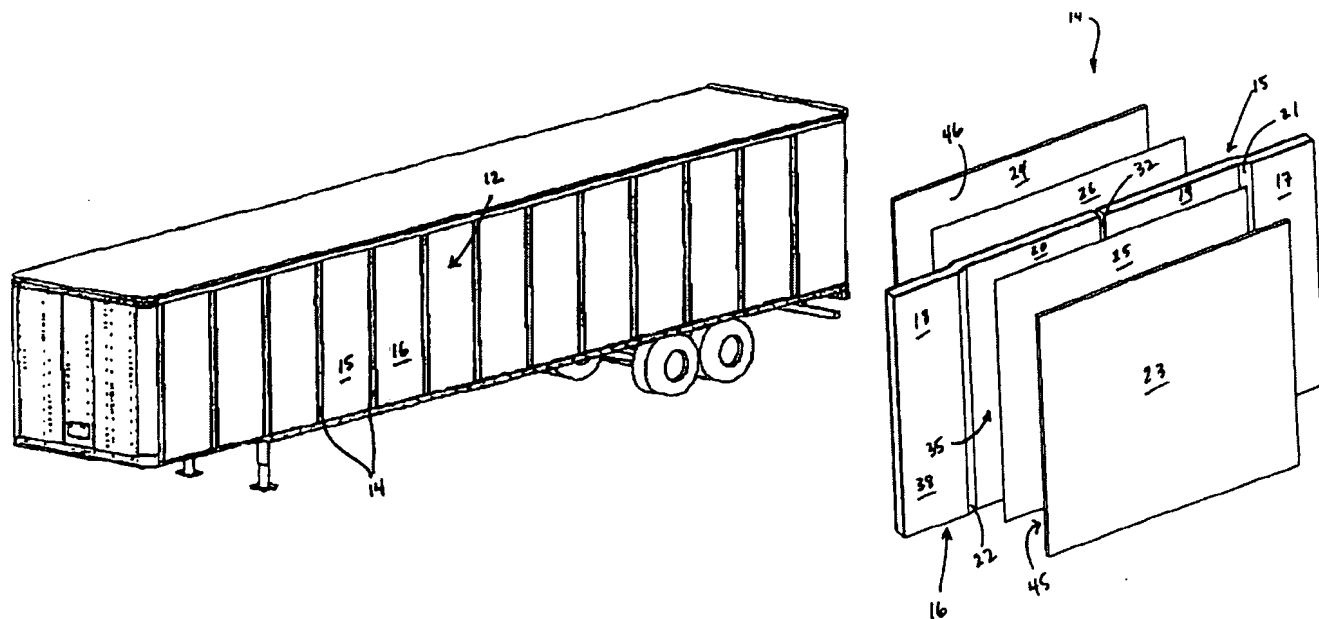
VII. ARGUMENT

The Examiner's final rejections are improper. In light of well-understood patent law, the Examiner's use of non-analogous art is unreasonable. Rationalization of the Examiner's selection of art is only possible in light of impermissible hindsight reasoning. Withdrawal of his rejections is called for.

A. The Examiner Used Impermissible Hindsight Reasoning In His Search For A Missing Claim Element.

The claims on appeal were successfully proven allowable over *DE '631*, as applied in a 35 U.S.C. § 102(b) rejection of claims 1-3, 9, and 11-12. The Examiner stated, "Applicant's amendments to the claims filed March 6, 2006, with respect to the German publication [*DE '631*] have been fully considered and are persuasive. Therefore the [35 U.S.C. § 102(b)] rejection has been withdrawn." *Office Action mailed May 24, 2006* at p. 5, § 6 (emphasis in original). Likewise, the claims on appeal were successfully proven allowable over *Mason* (in view of *DE '631*), as applied in a 35 U.S.C. § 103(a) rejection of claims 1, 9, and 10. The Examiner stated, "Applicant's arguments filed March 6, 2006, with respect to the *Mason* reference have been fully considered and are persuasive. As such, the [35 U.S.C. § 103(a)] rejection has been vacated." *Id.* Once the Examiner understood the deficiencies of *DE '631* and *Mason*, it was not difficult for him to search through the great volume of all art at his disposal and find an isolated mechanical feature of a patent that could allegedly cure the deficiencies of *DE '631* and *Mason* as applied to the '*107 Application*. Impermissible hindsight reasoning tainted the Examiner's search. The Examiner used hindsight reasoning to identify *Sill*. *Sill* is directed at solving a problem that is wholly unrelated to the problem addressed by the '*107 Application*. An examiner is not permitted to use the inventor's own application as a blueprint for selecting claim elements from irrelevant pieces of art. *Sill* is directed at solving a problem wholly unrelated to the problem addressed by the '*107 Application*. The Examiner's use of *Sill* is impermissible.

Sill relates to a wall joint configured to reduce or eliminate protrusions of wall retaining hardware that could catch or snag freight as the freight was being loaded or unloaded from an interior of a truck's trailer. *Sill* was concerned with the degradation of structural integrity of the sidewall panels of the trailer due to the prevalent requirement of stamping the edges of those sidewall panels as a means of providing a recessed space to reduce protrusions. See *Sill* at col. 1, line 66 - col. 2 line 11. *Sill*'s FIG. 1, reproduced below, illustrates a truck trailer 10 having wall joints 14, according to *Sill*'s invention. *Sill*'s FIG. 2, also reproduced below, illustrates an embodiment of *Sill*'s wall joint 14. Sidewall panels 15 and 16 are illustrated in each figure.



FIGS. 1 and 2 of *Sill*

The metal cabinetry that forms the housings that would be familiar to those of skill in the art of the invention as claimed are incomparable to the large and heavy sidewall panels used in land-vehicle trailers applicable to *Sill*'s invention. Indeed, the Examiner's own searches, recorded in the '107 *Application*'s filewrapper, point up the Examiner's belief that related art would not be found in art related to land vehicle cargo trailers, but rather in art related to supports for cabinet structures, or pedestals upon which a machine (such as a washer, laundry dryer, or refrigerator) might rest. See Examiner's Search Notes (part of paper no. 20050930) attached hereto as Appendix 1 (searching U.S. classes/subclasses 312/351.1, /351.2, /352, /257.1, /107 as well as 248/673, /678, /680, and /551). The Examiner located *Sill*'s truck trailer reference only after coming to an understanding that *DE '631* and *Mason*, either alone or in combination, failed to disclose at least one element of the claimed invention. See *Office Action* mailed May 24, 2006 at p. 5, § 6 (admitting that Applicant's arguments were persuasive and withdrawing 35 U.S.C. §§ 102(b) and 103(a) rejections). Impermissible hindsight reasoning explains the Examiner's identification of *Sill*.

When considering the obviousness of an invention, "[t]he invention must be viewed not after the blueprint has been drawn by the inventor, but as it would have been perceived in the state of the art that existed at the time the invention was made." *Sensonics, Inc. v. Aerosonic Corp.*, 81 F.3d

1566, 1570 (Fed. Cir. 1996) (citing *Interconnect Planning Corp. v. Feil*, 774 F.2d 1132, 1138 (Fed.Cir.1985)). “To draw on hindsight knowledge of the patented invention, when the prior art does not contain or suggest that knowledge, is to use the invention as a template for its own reconstruction--an illogical and inappropriate process by which to determine patentability.” *Id.* (citing *W.L. Gore & Assoc. v. Garlock, Inc.*, 721 F.2d 1540, 1553 (Fed.Cir.1983)).

The Examiner conceded, in his reply to Applicant's March 6, 2006 filing, that *DE '631* (titled “Support Base for Household Appliances”) and *Mason* (titled “Refrigerator Cabinet”), taken either individually or in combination, failed to teach or suggest “at least one coupling means provided both to a lateral side of the washing machine or the laundry dryer and a lateral side of the pedestal body for coupling the washing machine or the laundry dryer with the pedestal body,” as recited in independent claim 1. *See, e.g., Office Action mailed May 24, 2006* at p. 5, § 6. The Examiner was not able to identify art to cure the deficiencies of *DE '631* or *Mason* within the universe of art that would be reasonably pertinent to the particular problem with which the '*107 Application* was concerned. Those problems included at least one or more of improving the ease of mounting a pedestal to a washing machine or laundry dryer and dampening vibration/attenuating noise generated by the washing machine/laundry dryer and pedestal during operation of those devices. *See '107 Application* at ¶¶ 0010-0012. Despite the lack of relevant art, but in a classic example of a use of impermissible hindsight reasoning, the Examiner used his knowledge of the missing claim element to search for and discover *Sill*. *Sill* is both not pertinent and non-analogous to the '*107 Application*. *Sill* simply does not deal with any issue that would logically have commended itself to an inventor's attention in consideration of the problems addressed by the '*107 Application*.

Sill is directed toward the problem of “reduc[ing] or eliminat[ing] protrusions in the interior of [a truck trailer comprised of multiple sidewall panels, without a requirement for] the coining or stamping of the edges of consecutive sidewall panels.” *Sill* at col. 2, lines 51-54. The issues dealt with by *Sill* include a severe compromise of the structural strength of a trailer's composite or solid sidewall panels by the practice of coining (i.e., stamping) the edges of the panels prior to abutting them to one another. Coining is required to reduce the thickness of the panels along abutting edges.

The issues related to coining the edges of composite panels include reducing the amount of plastic core material at the edges of the panel or severely compressing that core material. *Id.* at col. 2, lines 20-29. Issues related to the coining or stamping of solid aluminum panels include the fact that the “solid nature of aluminum panels makes them difficult to coin and, once coined, the stress on the aluminum can compromise its integrity.” *Id.* at col. 2, lines 32-35. *Sill*'s problems and issues are simply not pertinent to the problems and issues facing the inventor of the '107 *Application*. The scope of *Sill*'s invention is not similar to the scope of the invention as claimed in the '107 *Application*. In general, *Sill* would never have logically come to the attention of a person of ordinary skill in the art, at the time of the '107 invention, when that person was considering the problems addressed by the '107 invention.

Sill is not reasonably pertinent to the inventions as claimed in the '107 *Application* because it is not in the same field as that of the '107 invention and does not concern itself with issues or problems that are similar in scope to those addressed by the '107 *Application*. Because the Examiner used impermissible hindsight reasoning in his selection of *Sill*, the 35 U.S.C. § 103(a) rejection of independent claim 1 in view of *Sill* should be withdrawn. Because claims 2-5 and 9-12 depend, either directly or indirectly from claim 1, the 35 U.S.C. § 103(a) rejections of those claims should likewise be withdrawn. For at least all of the reasons stated above, claims 1-5 and 9-12 are allowable over *Sill* either alone, or in combination with DE '161 and/or *Mason*.

B. *Sill* Is Non-Analogous Art and Cannot Be Relied On As A Reference Under 35 U.S.C. § 103(a).

The Examiner's reliance on *Sill* as a 35 U.S.C. § 103(a) reference is improper because *Sill* is non-analogous art. The Examiner uses flawed reasoning for justifying the use of *Sill*. Flaws exist in his reasoning because the Examiner closes his eyes to the real problems addressed by *Sill*. The Examiner incorrectly assumes that *Sill* must be reasonably pertinent to the particular problem with which the inventor of the '107 *Application* was concerned. The Examiner states that “*Sill* teaches the known use of a coupling member ... *Sill* specifically states in Col. 3, that sidewall panels are positioned next to each other and splicer plates are utilized having an adhesive means on each side of the panels to form a joint.” *Advisory Action mailed November 3, 2006* at p. 2, cont. of § 11. The

mere fact that a reference, which is not in the inventor's field of endeavor, includes a coupling member does not make the reference reasonably pertinent to the particular problem with which the inventor was concerned.

It is understood that an examiner must make use of analogous prior art when analyzing the obviousness of a claimed invention. *See* M.P.E.P. § 2141.01(a). "In order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." *In re Oetiker*, 977 F.2d 1443, 1446 (Fed. Cir. 1992). "A reference is reasonably pertinent if, even though it may be in a different field from that of the inventor's endeavor, it is one which, because of the matter with which it deals, logically would have commended itself to an inventor's attention in considering his problem." *In re Clay*, 966 F.2d 656, 659 (Fed. Cir. 1992). Where the general scope of a reference is outside the pertinent field of endeavor, the reference may be considered analogous art if subject matter disclosed therein is relevant to the particular problem with which the inventor is involved. *Wang Labs. Inc. v. Toshiba Corp.*, 993 F.2d 858, 864 (Fed. Cir. 1993).

The Examiner has all but expressly admitted that *Sill* is not in the field of Applicant's endeavor. *See Advisory Action mailed November 3, 2006* at p. 2, cont. of § 11. The Examiner's acquiescence to the fact that *Sill* is not in the field of Applicant's endeavor is evident from his lack of argument to the contrary.

The Examiner incorrectly asserts that *Sill* is analogous art by implying that *Sill* is reasonably pertinent to the particular problem with which the inventor of the '107 *Application* was concerned. *Id.* In the Examiner's opinion, *Sill* was reasonably pertinent because "it is one that because of the issue with which it deals, would logically have commended itself to an applicant's attention in consideration of a problem similar in scope." *Id.* These words are a hollow repetition of the law. The Examiner, failed to consider the issue truly dealt with by *Sill*. Thus, the Examiner misses a fundamental point, which is that *Sill* is not about joining two adjacent structures together via splicing plates and adhesive means. Rather, *Sill* is about "reduc[ing] or eliminat[ing] protrusions in

the interior of [a truck trailer comprised of multiple sidewall panels, without a requirement for] the coining or stamping of the edges of consecutive sidewall panels.” *Sill* at col. 2, lines 51-54; *see also supra* at pp. 9-10. Had the Examiner considered the issue dealt with by *Sill*, he would have recognized that *Sill*'s issue was not reasonably pertinent to improving the ease of mounting a pedestal to a washing machine or laundry dryer. Nor was *Sill*'s issue reasonably pertinent to dampening vibration / attenuating noise generated by the washing machine/laundry dryer and pedestal during operation of those devices. Those issues are at least some of the particular problems with which the inventor of the '107 *Application* was concerned.

As expressed in Section VII.A, *supra*, *Sill* is neither a reference that would logically have commended itself to the '107 *Application*'s inventor's attention in considering his problem, nor could *Sill* be considered as relevant to the particular problem with which the inventor was concerned. For example, *Sill*'s embodiments illustrate the use of both interior and exterior splicer plates. *Sill* at col. 4, lines 43-47 (describing ref. nos. 23 and 24 of FIGS. 2 and 3); FIGS. 4 and 5 (ref. nos. 123 and 124). By way of distinction, at least one of the problems addressed by the '107 *Application* was the improvement of the ease of mounting a pedestal to a washing machine or laundry dryer. An inventor considering the problem to be addressed by the '107 *Application* would not have been drawn to *Sill*'s invention, at least because the placement of splicer plates on both an interior and exterior of a washing machine/laundry dryer and pedestal would have *deteriorated* the ease of mounting the pedestal (i.e., would have made it more difficult). Moreover, *Sill* has nothing to teach about dampening vibration or attenuating noise generated by the sidewall panels while the trailer was moving (i.e., in operation). Again, by way of distinction, at least one of the other problems addressed by the '107 *Application* was dampening vibration / attenuating noise generated by the washing machine/laundry dryer and pedestal during operation of those devices.

For at least all the reasons stated above, *Sill* cannot be relied on as a 35 U.S.C. § 103(a) reference. *Sill* is not in the field of the claimed invention. *Sill* is not a reference that would have commended itself to the attention of an inventor concerned with the problems to be addressed by the '107 *Application*. *Sill* is not relevant to the particular problem with which the inventor the '107 *Application* was involved. Because *Sill* is non-analogous art, the 35 U.S.C. § 103(a) rejection of

independent claim 1 in view of *Sill* should be withdrawn. Because claims 2-5 and 9-12 depend, either directly or indirectly from claim 1, the 35 U.S.C. § 103(a) rejections of those claims should likewise be withdrawn. For at least all of the reasons stated above, claims 1-5 and 9-12 are allowable over *Sill* either alone, or in combination with DE '161 and/or *Mason*.

C. Claims 1-5, 9, 11, And 12 Are Allowable Over *De '631* In View Of *Sill*; Claim 10 Is Allowable Over *De '631* In View Of *Sill* And Further In View Of *Mason*.

The Examiner rejected claims 1-5, 9, 11, and 12 under 35 U.S.C. § 103(a) as being unpatentable over *DE '631* in view of *Sill*. The Examiner also rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over *DE '631* in view of *Sill* and further in view of *Mason*. As discussed above, *Sill* is non-analogous art and, moreover, can only be rationalized using impermissible hindsight reasoning. Accordingly, *Sill* cannot be relied on as a 35 U.S.C. § 103(a) reference in a rejection of the claims of the '*107 Application*. The Examiner has already conceded to the fact *DE '631* and *Mason*, either alone or in combination, fail to anticipate or render the claims under appeal obvious. See *Office Action mailed May 24, 2006* at p. 5, § 6. Accordingly, for at least all of the reasons stated above, the 35 U.S.C. § 103(a) rejections of claims 1-5 and 9-12 should be withdrawn. Claims 1-5 and 9-12 are allowable over *Sill* either alone, or in combination with DE '161 and/or *Mason*.

D. Claims 1-5, 9, And 10 Are Allowable Over Applicant's Prior Art Admission In View Of *Sill*.

The Examiner rejected claims 1-5, 9, and 10 under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Prior Art Admission (APAA) in view of *Sill*. As discussed above, *Sill* is non-analogous art and, moreover, can only be rationalized using impermissible hindsight reasoning. Accordingly, *Sill* cannot be relied on as a 35 U.S.C. § 103(a) reference in a rejection of the claims of the '*107 Application*. APAA, in FIG. 1A of the '*107 Application*, illustrates a pedestal 20 used in conjunction with a washing machine 10. APAA fails to describe, teach, or suggest all of the element of independent claim 1 and claims 2-5, 9, and 10, which depend either directly or indirectly from claim 1. Accordingly, the 35 U.S.C. § 103(a) rejections of claims 1-5, 9, and 10 over APAA in view

of the non-analogous and impermissibly applied *Sill* should be withdrawn. Claims 1-5, 9, and 10 are allowable over APAA in view of *Sill*.

For all the above reasons, Appellants respectfully request that this Honorable Board find that *Sill* is non-analogous art that was applied using impermissible hindsight reasoning and that accordingly, all of the various 35 U.S.C. § 103(a) rejections of claims 1-5 and 9-12 should be reversed and withdrawn.

The Claims Appendix contains the set of claims involved in the present appeal. Appendix 1, attached hereto, contains a copy of the Examiner's Search Notes (part of Paper No. 20050930).

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this paper is enclosed

Dated: May 22, 2007

Respectfully submitted,

By Michael L. Angert (Reg. No. 46,522)
for **Mark R. Kresloff**

Registration No.: 42,766
McKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorneys for Applicant

Attachments

CLAIMS APPENDIX

Claims Involved in the Appeal of Application Serial No. 10/765,107

1. (Previously Presented) A pedestal for a washing machine or a laundry dryer, said pedestal comprising:

a pedestal body supporting a bottom portion of the washing machine or laundry dryer; and

at least one coupling means provided both to a lateral side of the washing machine or the laundry dryer and a lateral side of the pedestal body for coupling the washing machine or the laundry dryer with the pedestal body.

2. (Previously Presented) The pedestal as claimed in claim 1, wherein the coupling means includes:

a coupling member provided both to the lateral side of the washing machine or the laundry dryer, and the lateral side of the pedestal body under the washing machine or the laundry dryer, and

a fastening member for fastening the coupling member to the lateral side of the washing machine or the laundry dryer and the lateral side of the pedestal body, respectively.

3. (Previously Presented) The pedestal as claimed in claim 2, wherein the fastening member includes:

a first fastening member for fastening an upper part of the coupling member to the lateral side of a lower part of the washing machine or the laundry dryer, and

a second fastening member for fastening a lower part of the coupling member to the lateral side of an upper part of the pedestal.

4. (Original) The pedestal as claimed in claim 3, wherein at least one of first fastening member and the second fastening member has an adhesive material coated on both sides thereof.
5. (Original) The pedestal as claimed in claim 4, wherein the fastening member having the adhesive material coated on both sides thereof is double sided tape.
6. (Withdrawn) The pedestal as claimed in claim 3, wherein at least one of the first fastening member or the second fastening member is screw.
7. (Withdrawn) The pedestal as claimed in claim 3, wherein at least one of the first fastening member or the second fastening member has an adhesive material coated on both sides thereof, and rest one is a screw.
8. (Withdrawn) The pedestal as claimed in claim 7, wherein the fastening member having the adhesive material coated on both sides thereof is double sided tape.
9. (Previously Presented) The pedestal as claimed in claim 1, wherein the pedestal body further includes a receiving part for putting things therein.
10. (Original) The pedestal as claimed in claim 9, wherein the receiving part is a drawer for opening a front part of the pedestal body.

11. (Original) The pedestal as claimed in claim 1, wherein the coupling means is designed to adjust a height of the washing machine or the laundry dryer.

12. (Previously Presented) The pedestal as claimed in claim 11, wherein the coupling means includes:

a coupling member provided both to the lateral side of the washing machine or the laundry dryer, and the lateral side of the pedestal body under the washing machine or the laundry dryer,

detachable gap adjusting members having different thicknesses to be fitted to the coupling member for maintaining a preset gap between a bottom of the washing machine or the laundry dryer, and a top of the pedestal body, and

fastening members for fastening the coupling member to the lateral side of the washing machine or the laundry dryer and the lateral side of the pedestal body, respectively.

13. (Withdrawn) A pedestal comprising:

a pedestal body for supporting a bottom of a washing machine or a laundry dryer to a height; a corner supporting member fitted to a lower corner of the washing machine or the laundry; and

coupling means provided to a side of the corner supporting member and a side of the pedestal body for fastening the corner supporting member to the pedestal body.

14. (Withdrawn) The pedestal as claimed in claim 13, wherein the coupling means includes;
- a coupling member in contact with a side of the corner supporting member and a side of the pedestal body, and
- a fastening member for fastening the coupling member to the side of the washing machine or the laundry dryer and the side of the pedestal body.
15. (Withdrawn) The pedestal as claimed in claim 14, wherein the fastening member includes;
- a first fastening member for fastening an upper part of the coupling member to a side of the corner supporting member, and
- a second fastening member for fastening a lower part of the fastening member to an upper part of a side of the pedestal.
16. (Withdrawn) The pedestal as claimed in claim 15, wherein at least one of the first fastening member and the second fastening member has an adhesive material coated on both sides thereof
17. (Withdrawn) The pedestal as claimed in claim 16, wherein the fastening member having the adhesive material coated on both sides thereof is double sided tape.
18. (Withdrawn) The pedestal as claimed in claim 15, wherein at least one of the first fastening member or the second fastening member is screw.

19. (Withdrawn) The pedestal as claimed in claim 15, wherein at least one of the first fastening member or the second fastening member has an adhesive material coated on both sides thereof, and rest one is a screw.

20. (Withdrawn) The pedestal as claimed in claim 19, wherein the fastening member having the adhesive material coated on both sides thereof is double sided tape.

21. (Withdrawn) The pedestal as claimed in claim 13, wherein the corner supporting member includes;

a horizontal panel held horizontal to, and supporting a bottom of the washing machine or the laundry dryer, and

a vertical bent part bent vertically from one end of the horizontal panel and in contact with an upper part of the pedestal body.

22. (Withdrawn) The pedestal as claimed in claim 13, wherein the pedestal body further includes a receiving part for receiving things.

23. (Withdrawn) A pedestal comprising:

a pedestal body for supporting a bottom of a washing machine or a laundry dryer to a height;
and

leg supporters on top of the pedestal body, for supporting sides of the lower legs of the washing machine or a laundry dryer, and fastening the washing machine or the laundry dryer to the pedestal body.

24. (Withdrawn) The pedestal as claimed in claim 23, wherein the leg supporter includes; a first seating hole for seating a leg of the washing machine, and a second seating hole for seating a leg of the laundry dryer.

25. (Withdrawn) The pedestal as claimed in claim 24, wherein the leg supporters are fixed to four points of a top of the pedestal body.

26. (Withdrawn) The pedestal as claimed in claim 25, wherein the four points are four corners of the top of the pedestal body.

27. (Withdrawn) The pedestal as claimed in claim 26, wherein the first seating hole and the second seating hole are connected to each other in each of the leg supporters fixed to front corners of the pedestal body respectively, and the first seating hole and the second seating hole are separated from each other in each of the leg supporters fixed to rear corners of the pedestal body, respectively.

28. (Withdrawn) The pedestal as claimed in claim 27, wherein the two leg supporters fixed to the front corners of the pedestal body are fastened to support a bottom of a front part of the washing machine.

29. (Withdrawn) The pedestal as claimed in claim 28, wherein each of the leg supporters fixed to one of the front corners of the pedestal body further includes a supporting part projected forward of the pedestal for supporting a bottom of a front part of the washing machine.

30. (Withdrawn) The pedestal as claimed in claim 27, wherein the two leg supporters fixed to rear corners of the pedestal body are fastened to a lower part of rear side of the washing machine.

31. (Withdrawn) The pedestal as claimed in claim 23, wherein the pedestal body further includes a receiving part for putting things therein.

32. (Withdrawn) A pedestal comprising:

a pedestal body for supporting a bottom of a washing machine or a laundry dryer to a height, leg supporters on top of the pedestal body for supporting sides of lower legs of the washing machine or the laundry dryer, and

at least one coupling means at a side of the washing machine or the laundry dryer, and a side of the pedestal body, for coupling the washing machine or the laundry dryer with the pedestal body.

33. (Withdrawn) The pedestal as claimed in claim 32, wherein the leg supporter includes; a panel having a first seating hole for seating a washing machine leg, and a second seating hole for seating a laundry dryer leg.

34. (Withdrawn) The pedestal as claimed in claim 33, wherein the leg supporters are fixed to corners of the top of the pedestal body.

35. (Withdrawn) The pedestal as claimed in claim 34, wherein the first seating hole and the second seating hole are connected to each other in each of the leg supporters fixed to front corners of the pedestal body respectively, and the first seating hole and the second seating hole are separated from each other in each of the leg supporters fixed to rear corners of the pedestal body, respectively.

36. (Withdrawn) The pedestal as claimed in claim 35, wherein the leg supporter is fastened to a top of the pedestal body with a screw.

37. (Withdrawn) The pedestal as claimed in claim 32, wherein the coupling means includes;
a coupling member provided so as to be in contact both with a side of the washing machine or the laundry dryer, and a side of the pedestal body under the washing machine or the laundry dryer, and

fastening members for fastening the coupling member to the side of the washing machine or the laundry dryer and the side of the pedestal body, respectively.

38. (Withdrawn) The pedestal as claimed in claim 37, wherein the fastening member includes; first fastening members for fastening an upper part of the coupling member to the side of a lower part of the washing machine or the laundry dryer, and second fastening members for fastening a lower part of the coupling member to the side of an upper part of the pedestal.

39. (Withdrawn) The pedestal as claimed in claim 38, wherein at least one of the first fastening member and the second fastening member has an adhesive material coated on both sides thereof.

40. (Withdrawn) The pedestal as claimed in claim 39, wherein the fastening member having the adhesive material coated on both sides thereof is double sided tape.

41. (Withdrawn) The pedestal as claimed in claim 38, wherein at least one of the first fastening member or the second fastening member is screw.

42. (Withdrawn) The pedestal as claimed in claim 38, wherein at least one of the first fastening member or the second fastening member has an adhesive material coated on both sides thereof, and rest one is a screw.

43. (Withdrawn) The pedestal as claimed in claim 42, wherein the fastening member having the adhesive material coated on both sides thereof is double sided tape.

44. (Withdrawn) The pedestal as claimed in claim 37, wherein the coupling means is designed to couple the washing machine or the laundry dryer to the pedestal body according to a height variation of legs of the washing machine or the laundry dryer.

45. (Withdrawn) The pedestal as claimed in claim 44, wherein the fastening member is screw.

46. (Withdrawn) The pedestal as claimed in claim 45, wherein the coupling member includes fastening holes at preset intervals from a bottom to a top thereof

47. (Withdrawn) The pedestal as claimed in claim 32, wherein the pedestal body further includes a receiving part for putting things therein.

48. (Withdrawn) The pedestal as claimed in claim 47, wherein the receiving part is a drawer for opening a front part of the pedestal body.

Application No.: 10/765,107
Group Art Unit 3367
Appellant's Brief Filed May 22, 2007

Docket No.: 9988.099.00

EVIDENCE APPENDIX

None.

Application No.: 10/765,107
Group Art Unit 3367
Appellant's Brief Filed May 22, 2007

Docket No.: 9988.099.00

RELATED PROCEEDINGS APPEXDIX

None.

Application No.: 10/765,107
Group Art Unit 3367
Appellant's Brief Filed May 22, 2007

Docket No.: 9988.099.00

APPEXDIX 1

Examiner's Search Notes (Part of Paper No. 20050930).